



JPW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): Shimkets, et al. EXAMINER: Not yet assigned.  
SERIAL NUMBER: 10/644,469 ART UNIT: Not yet assigned.  
FILING DATE: August 20, 2003  
FOR: METHODS FOR DIAGNOSING AND TREATMENT OF CONDITIONS THAT  
ALTER PHOSPHATE TRANSPORT IN MAMMALS.

**Mail Stop IDS**  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed below and on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application. The order of presentation of the references should not be construed as an indication of the importance of the references. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits in the above-identified case. Accordingly, no fee or certification is required. 37 C.F.R. §1.97.

A copy of each of the references is enclosed unless otherwise indicated on the attached Form PTO-1449 (modified). It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs, the enclosed form PTO-1449 to evidence that the cited information has been fully considered by Patent and Trademark Office during the examination of this application.

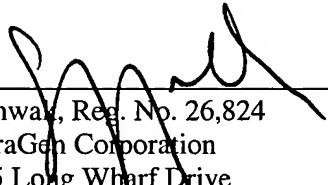
By Submitting this Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is

considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b); and (3) the information cited in the Statement is, or considered to be, in fact, prior art as defined by 35 U.S.C. § 102.

Notwithstanding any statement by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested. Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 502648, Reference No. Cura 904 (21402-604).

Respectfully submitted,

Date: January 05, 2005



---

George Yahwak, Reg. No. 26,824  
c/o CuraGen Corporation  
555 Long Wharf Drive  
New Haven, CT 06511  
Tel: (203) 974-6303  
Fax: (203) 401-3351



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Shimkets, et al.

EXAMINER: Not yet assigned.

SERIAL NUMBER: 10/644,469

ART UNIT: Not yet assigned.

FILING: DATE: August 20, 2003

FOR: METHODS FOR DIAGNOSING AND TREATMENT OF CONDITIONS THAT  
ALTER PHOSPHATE TRANSPORT IN MAMMALS.

**Mail Stop IDS**

Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Transmitted herewith for filing in the present application are the following documents:

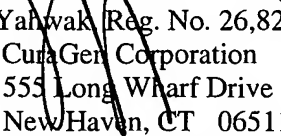
1. Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (1 pages) in duplicate;
3. Copies of Cited references C1-C2 and;
4. Return Postcard

No fee is believed to be due at this time. However, the Commissioner is authorized to charge any additional fees that may be due to Deposit Account No.502648, Reference No.Cura 904 (21402-604). A duplicate copy of this transmittal letter is enclosed.

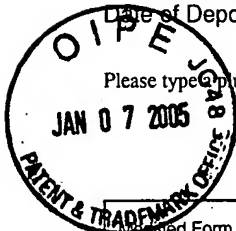
If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 203/974-6303, New Haven, Connecticut.

Respectfully submitted,

Date: January 05, 2005

  
George Yahwak Reg. No. 26,824  
c/o CuraGen Corporation  
555 Long Wharf Drive  
New Haven, CT 06511  
Tel: (203) 974-6303  
Fax: (203) 401-3351

Date of Deposit: 01/05/05



Please type plus sign (+) in this box



PTO/SB (12-97)

Approved for use through 9/30/00. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	<b>Application Number</b>	10/644,469
	<b>Filing Date</b>	08/20/2003
	<b>First Named Inventor</b>	Shimkets, et al.
	<b>Group Art Unit</b>	Not yet assigned
	<b>Examiner Name</b>	Not yet assigned
	<b>Attorney Docket Number</b>	Cura 904 (21402-604)

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	A1	5,741,642	04/21/98	Rubin, et al.	435	6	05/31/1995

FOREIGN PATENT DOCUMENTS					
Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No
	B1				

OTHER PRIOR ART - NON-PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C1	GenBank Accession Number: NM002009 (31-OCT-2000).
	C2	International Search Report for PCT/US03/26417, mailed on December 22, 2004.

\* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.

Date of Deposit: 01/05/05

Please type a plus sign (+) in this box

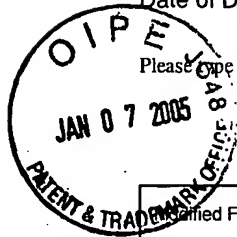


PTO/SB (12-97)

Approved for use through 9/30/00. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	<b>Application Number</b>	10/644,469
	<b>Filing Date</b>	08/20/2003
	<b>First Named Inventor</b>	Shimkets, et al.
	<b>Group Art Unit</b>	Not yet assigned
	<b>Examiner Name</b>	Not yet assigned
	<b>Attorney Docket Number</b>	Cura 904 (21402-604)

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	A1	5,741,642	04/21/98	Rubin, et al.	435	6	05/31/1995

FOREIGN PATENT DOCUMENTS					
Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No
	B1				

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C1	GenBank Accession Number: NM002009 (31-OCT-2000).
	C2	International Search Report for PCT/US03/26417, mailed on December 22, 2004.

\* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.